FOR OFFICIAL ENTRY - - EXPEDITED PROCEDURE

REMARKS

Claims 1-18, 20-26, and 28-30 are pending in the application.

ALLOWABLE SUBJECT MATTER

Claim 17 has not been rejected. Applicant, therefore, assumes that claim 17 has been deemed by the Examiner to contain allowable subject matter.

THE RESTRICTION REQUIREMENT

Claims 20-26 stand withdrawn from consideration as being drawn to a non-elected invention. The Examiner has not responded to Applicant's traversal of restriction requirement, originally set forth in the Amendment filed on April 23, 2003, and repeated in Applicant's response filed October 30, 2003. ***Applicant again requests that the Examiner provide (1) an example showing that one of the subcombinations has utility other than in the disclosed combination; and (2) a showing that examination of claims 20-26 cannot be made without serious burden in light of the fact that the examiner has already examined claims 20-26 in their merits.*** Absent the requisite showing, it is respectfully submitted that the Examiner has not met his burden of showing that the inventions are independent or distinct and that restriction is proper. Accordingly, withdrawal of the restriction requirement and examination of all claims pending herein is respectfully requested.

REJECTIONS UNDER 35 U.S.C. § 103

Claims 11-16 and 18 stand rejected under 35 U.S.C. § 103 as being unpatentable over Brennan et al. (U.S. Patent No. 4,788,720) in view of Zhu (U.S. Patent No. 6,240,172).

Claims 1-10 and 28-30 stand rejected under 35 U.S.C. § 103 as being unpatentable over Brennan et al. in view of Zhu, both supra, and in further view of LeDuc et al. (U.S. Patent No. 5,355,404).

The rejections are traversed for the following reasons.

FOR OFFICIAL ENTRY - - EXPEDITED PROCEDURE

The method of claims 1-10, 29, and 30 provides program mapping of telecommunication system features in a telecommunication system to buttons of a local instrument, wherein the mapping is accomplished by a user at a local instrument through the use of user prompting via, beeps, buzzes, and voice prompts provided by the central controller receiving user input in response to said at least one audible prompt. The mapping is stored in a memory of the central programming controller in response to the user input.

Likewise, the apparatus of claim 28 calls for mapping a selected telecommunications system feature using user input at a local instrument through the use of user prompting via beeps, buzzes, and/or voice prompts provided by the central controller receiving user input in response to the audible prompt. Again, the mapping is stored in a memory of the central programming controller in response to the user input.

Finally, claims 11-18 likewise all require program mapping selected ones of PBX system features to selected buttons on a telephone receiver using voice prompts provided to a user at the telephone receiver.

Claims 11-16 and 18 Distinguish
Patentably over Brennan et al. in View of Zhu;

Claims 1-10 and 28-30 Distinguish Patentably over
Brennan et al. in View of Zhu and in Further View of LeDuc et al.

Brennan et al. disclose a programmable telephone ("set") for implementing a plurality of special features such as hold, call transfer, call forward, etc. The set is comprised of a microprocessor and electronic telephone circuit connected to a plurality of programmable function keys, for generating one or more Centrex or PBX special feature access code signals in response to depression of predetermined ones of the keys. The special feature access code signals are programmed directly into the set such that the set may be used with a variety of PABX and Centrex facilities in lieu of expensive proprietary subscriber sets or awkward and difficult to use standard type 2500 sets. Thus, the system of Brennan et al. requires programming the special feature access codes for a

particular PBX or Centrex system directly into the set. See, e.g., column 2, lines 24-30; column 3, lines 5-10; column 3, lines 67-68, etc.

Claims 1-10 and 28-30, on the other hand, require that the special feature access codes be stored in the central controller and that such codes are mapped to a particular key on a local instrument. Similarly, claims 11-18 require program mapping selected PBX system features to selected telephone buttons. Brennan et al. disclose only physically storing the special feature access codes in the local instrument itself. There is absolutely no teaching in Brennan et al. whatsoever of any type of mapping relationship between a switch on a local instrument to a special feature contained in a central programming controller, the mapping relationship data stored in the central programming controller.

As the Examiner correctly acknowledges, there is nothing in the Brennan et al. reference to disclose or otherwise suggest storing the recited mapping data in the central programming controller, as called for by the claims.

Neither the Zhu reference nor the LeDuc et al. reference cure this basic deficiency of the Brennan et al. reference.

The Zhu reference discloses a system wherein a special purpose program corresponding to a special feature is physically stored in electrically erasable programmable read only memory (EEPROM) of the telephone set. This allows a user to remotely reconfigure a feature-function telephone via a voice prompt system contained at a Central Office of the telephone company. Like Brennan et al., Zhu discloses only that the special feature program is physically transmitted to the user's telephone set. See column 5, lines 37-40. This is direct programming of the telephone set, and not a mapping as is expressly required by the present claims. There is nothing in the Zhu reference to disclose the claimed invention wherein the switch on the local instrument is simply mapped to a special feature in a central program controller. In the system of Zhu, the special access programming code for the desired feature must be physically stored in the telephone set itself.

In fact, the Zhu reference is of little relevance to the present invention since it does not even teach a central programming controller (e.g.,

PBX, Centrex system, etc.) at all, as required by the present claims. Instead, Zhu discloses only a telephone connected directly to a Central Office of the telephone company.

The Examiner additionally relies on LeDuc et al. LeDuc et al. disclose a method for use by a switching system in controlling the rate of downloading of parameters to customer stations. The method of LeDuc et al. addresses the problem of downloading to the stations of an entire configuration group in uncontrolled fashion, which would interfere with the switching system processing of telephone calls. To address this problem, LeDuc et al. propose performing such downloading at a controlled rate thereby limiting any reduction in call processing due to the parameter downloading.

Thus, the LeDuc et al. reference does not cure the basic deficiency of the Brennan et al. and Zhu references in that LeDuc et al. teach only the physical downloading of parameters to the local instruments. See LeDuc et al., Abstract at line 2. There is no teaching or suggestion of any mapped relationship between a switch on a local instrument and a special feature within the central controller, as required by the present claims.

Thus, all of the cited references disclose physically storing the special feature access codes in the local telephone set. None of the cited references disclose program mapping data contained within a central controller which simply maps a particular key of a local instrument to the special feature programming in the central controller, as called for by the present claims.

As stated above, the Examiner correctly acknowledges that Brennan et al. fail to disclose the recited mapping limitation of the present claims, but asserts that this claim limitation is found in LeDuc et al. at column 4, lines 33-41. The cited portion is reproduced below:

> Switching system 1000 stores data for each served customer station defining its active/inactive status and whether calls to the station are blocked due to a craft-initiated removal of the station from service. A customer station may be inactive because the station is unplugged, power is removed, the station is not initialized, or because of a failure of the physical, link, or network levels of

> communication between the customer station and switching system 1000.

Thus, the cited portion is directed only to storing data which defines the telephone station status as active or inactive. There is nothing in the cited passage (or elsewhere in the reference) which discloses or even suggests storing data in a central controller defining a mapped relationship between a telephony feature in the central programming controller and a specified switch on the telephone set, as is required by the present claims. The Examiner is respectfully requested to either clarify how the data as to active/inactive status of the telephone set somehow teaches or suggests the recited program mapping of the present invention.

It is well established that, to establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. In re Royka, 180 U.S.P.Q. 580 (C.C.P.A. 1974). See also In re Wilson, 165 U.S.P.Q. 494 (C.C.P.A. 1970). As set forth above, Brennan et al., Zhu, and LeDuc et al. teach only physically storing special feature access codes or programming in a memory of a telephone set. All of the cited references fail to teach or suggest mapping specific keys to selected features in a central controller. The Examiner has asserted that this feature is found in LeDuc et al., however, the Examiner was apparently mistaken in that the cited passage only disclosed storing an indication as to the active or inactive status of the telephone station, a station being inactive for a number of reasons, for example, due to a phone being blocked from service, unplugged, network failure, etc.

Because the cited references taken alone and in combination fail to teach or otherwise suggest each and every claim element, it is respectfully submitted that a prima facie case of obviousness has not been established. Withdrawal of the rejections under 35 U.S.C. § 103 is, therefore, respectfully requested.

PRIOR ART MADE OF RECORD AND NOT RELIED UPON

Applicant will not burden the record with a discussion of the prior art cited by the Examiner, but not relied upon in a rejection.

FOR OFFICIAL ENTRY - - EXPEDITED PROCEDURE

EXAMINER INTERVIEW

Favorable reconsideration of this application is respectfully requested. Should there be any outstanding issues requiring discussion that would further the prosecution and allowance of this application, the Examiner is invited to contact Applicant's undersigned representative at the address and phone number indicated below.

CONCLUSION

In view of all of the above, Applicant respectfully submits that certain clear and distinct differences as discussed exist between the present invention and prior art references upon which the rejections in the final Office action rely. These differences are more than sufficient that the present invention as claimed would not have been rendered obvious given the prior art. Rather, the present invention as a whole is distinguishable from, and thereby allowable over, the prior art.

Allowance of all claims pending herein and early notice to that effect is earnestly solicited.

Respectfully submitted,

McLANE, GRAF, RAULERSON & MIDDLETON, PA

February 18, 2004 By: Scott C. Rand; Reg. No. 40,359
900 Elm Street, P.O. Box 326
Manchester, NH 03105-0326
(603) 628-1461 (tel)
(603) 625-5650 (fax)

M:\DATA\6\67951\scr\00269863.DOC